



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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January 15, 2004

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE ORDINANCE AMENDING THE DETERMINATIONS OF
CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR
DEBARMENT ORDINANCE
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve, introduce, waive reading, and place on your Board's agenda for adoption the attached ordinance amending Title 2, Chapter 2.202 of the Los Angeles County Code, Determinations of Contractor Non-Responsibility and Contractor Debarment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On January 11, 2000, your Board adopted Chapter 2.202 of the County Code, Determinations of Contractor Non-Responsibility and Contractor Debarment ("Non-Responsibility and Debarment Ordinance"). The Non-Responsibility and Debarment Ordinance provides procedures for the County to determine that: 1) a contractor which submitted a bid or proposal on a particular County contract is prohibited from being awarded and/or performing work on that contract, and 2) a contractor is prohibited from bidding or proposing on, being awarded and/or performing work on a contract with the County for a specified period of time.

Since your Board's adoption of the Non-Responsibility and Debarment Ordinance in January, 2000, we discovered that it would be appropriate to make some minor revisions to it. These revisions will provide clarity and consistency within the

Non-Responsibility and Debarment Ordinance, and the purpose of this recommendation is to implement these revisions.

Implementation of Strategic Plan Goals

The recommended action is consistent with the principles of the Countywide Strategic Plan Goals of Organizational Effectiveness and Fiscal Responsibility by promoting integrity in the County's contracting processes and protecting the public interest.

FISCAL IMPACT/FINANCING

Not applicable.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In January, 2000, your Board adopted the Non-Responsibility and Debarment Ordinance to promote integrity in the County's contracting processes and to protect the public interest. This Ordinance sets forth the requirements and process for finding a contractor non-responsible or debarring a contractor.

The recommended action will provide clarity and consistency within the Non-Responsibility and Debarment Ordinance, and include the following revisions: 1) making consistent the specified factors to find a contractor non-responsible with the factors to debar a contractor, 2) including a definition of "non-responsibility" in the definition section of the Non-Responsibility and Debarment Ordinance, 3) clarifying that the ordinance also applies to entities contracting with or seeking to contract with non profit corporations created by the County, 4) clarifying that the County may debar a contractor who has had a contract with the County in a preceding three year period, and 5) minor stylistic language changes.

The accompanying ordinance was drafted by County Counsel.

CONTRACTING PROCESS

The Non-Responsibility and Debarment Ordinance will continue to be applicable in the County's contracting processes. This recommended action does not involve a specific contract.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

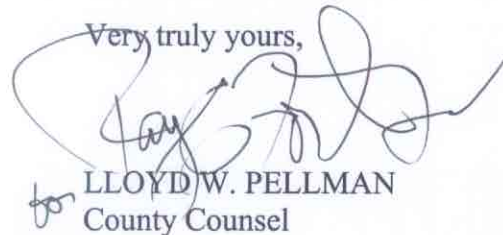
Not applicable.

NEGATIVE DECLARATION/ENVIRONMENTAL IMPACT REPORTS

Not applicable.

CONCLUSION

Please return one adopted copy of this letter to the Offices of the County Counsel and the Auditor-Controller and the Chief Administrative Office.

Very truly yours,

LLOYD W. PELLMAN
County Counsel

LWP:LS
Attachment

c: David E. Janssen
Chief Administrative Officer

Violet Varona-Lukens, Executive-Officer
Board of Supervisors

J. Tyler McCauley
Auditor-Controller